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7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2013-67**

11 **TERRI SIM, AKA TERRY SIM, AKA**
12 **MINON SIM**
13 **P.O. Box 2002**
Manhattan Beach, CA 90267

A C C U S A T I O N

14 **Registered Nurse License No. 357421**

15 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about March 31, 1983, the Board of Registered Nursing (Board) issued
24 Registered Nurse License Number 357421 to Terri Sim, aka Terry Sim, aka Minon Sim
25 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
26 the charges brought herein and will expire on September 30, 2012, unless renewed.

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1 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed
2 physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or
3 administer to another, any controlled substance as defined in Division 10 (commencing with
4 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as
5 defined in Section 4022.

6 "(b) Use any controlled substance as defined in Division 10 (commencing with Section
7 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
8 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
9 himself or herself, any other person, or the public or to the extent that such use impairs his or her
10 ability to conduct with safety to the public the practice authorized by his or her license.

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12 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
13 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this
14 section."

15 8. Section 2764 provides that the expiration of a license shall not deprive the Board of
16 jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision
17 imposing discipline on the license. Under section 2811, subdivision (b), the Board may renew an
18 expired license at any time within eight years after the expiration.

19 **COST RECOVERY**

20 9. Section 125.3 provides that the Board may request the administrative law judge to
21 direct a licentiate found to have committed a violation or violations of the licensing act to pay a
22 sum not to exceed the reasonable costs of the investigation and enforcement of the case.

23 **CONTROLLED SUBSTANCES**

24 10. Chlordiazepoxide (Librium) is a Schedule IV controlled substance as defined by
25 Health and Safety Code Section 11057(d)(5), and as a dangerous drug pursuant to section 4022.

26 11. Hydrocodone (Vicodin) is a Schedule II controlled substance as defined by Health
27 and Safety Code Section 11055(b)(1)(I), and as a dangerous drug pursuant to section 4022.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unlawfully Obtaining and Possessing a Controlled Substance)**

3 12. Respondent's license is subject to disciplinary action under section 2762, subdivision
4 (a), in that Respondent admittedly obtained and possessed controlled substances and dangerous
5 drugs, Librium and Vicodin. The circumstances are as follows: on or about February 16, 2012, in
6 an interview with Board investigator Jorge Campana, Respondent admitted to obtaining and
7 possessing controlled substances and dangerous drugs, Librium and Vicodin, without valid
8 prescriptions. Respondent, by her own admission, took the controlled substances home and failed
9 to document withdrawing and returning the controlled substances in accordance with facility
10 policy on at least eight occasions.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Dishonest Acts)**

13 13. Respondent's license is subject to disciplinary action under section 2761, subdivision
14 (h), and section 2762, subdivision (e) in that Respondent admittedly forged another nurse's
15 signature. The circumstances are as follows: on or about February 16, 2012, in an interview with
16 Board investigator Jorge Campana, Respondent admitted that she forged another nurse's name
17 because she was in a hurry to go home and wanted to leave the facility quickly.

18 **THIRD CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct)**

20 14. Respondent's license is subject to disciplinary action under section 2761, subdivision
21 (a), for engaging in unprofessional conduct. Complainant refers to and incorporates all the
22 allegations contained in paragraphs 12 and 13, inclusive, as though set forth fully.

23 **FOURTH CAUSE FOR DISCIPLINE**

24 **(Violating Provisions of the Nursing Practice Act)**

25 15. Respondent's license is subject to disciplinary action under section 2761, subdivision
26 (d), for violating numerous provisions of the Nursing Practice Act [§ 2750, et seq.]. Complainant
27 refers to and incorporates all the allegations contained in paragraphs 12 through 14, inclusive, as
28 though set forth fully.

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 357421, issued to Terri
5 Sim, aka Terry Sim, aka Minon Sim;

6 2. Ordering Terri Sim, aka Terry Sim, aka Minon Sim to pay the Board of Registered
7 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
8 Business and Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.
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12 DATED: July 24, 2012

Louise R. Bailey
13 LOUISE R. BAILEY, M.ED., RN
14 Interim Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
17 State of California
18 Complainant
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